IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CRI. JURISDICTION

CRIMINAL APPLICATION NO.1250 OF 2005

Dr. Ashok Gandhi and ors. ..Applicants.

Vs.

The State of Maharashtra and ors. .. Respondents.

None for applicants.

Mr. Prakash Naik for Respondent No.2.

Mr. A.M. Shringarpure, APP. for State.

.....

CORAM: V.M. KANADE, J.
DATED: 13/4/2005.

PC:

1. None appears for the applicants.

2. By this application the applicants are seeking following reliefs:

(a) rule be issued;

(b) Order dated 24.7.2001 passed by the learned Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai in Criminal Case No.606/Misc./2001 at Exhibit 'P' to

this application be quashed and set aside;

(c) Order dated 4.2.2005 passed by the learned Additional Sessions Judge, Mumbai in Criminal Application No.671 of 2004, in Criminal Revision Application No,.3820 of 2004, be quashed and set aside and the said application be granted;

(d) Pending the hearing and disposal of this application, stay the order dated 24.7.2001 passed by the learned Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai in Criminal Case No.606/Misc./2001 at Exhibit ’R’ to this application;

(e) Ad-interim relief in terms of prayer clause (d);

(f) Cost of the application be provided for;

(g) Such other and further reliefs as this Hon’ble court deems fit and proper in the

facts and circumstances of the case, be granted.

It is submitted by the learned counsel appearing on behalf of the respondents that by order dated 24.7.2001, the Metropolitan Magistrate had directed the Dy. Commissioner of Police, Economic Offence Wing, Crime Branch, Housing Unit to investigate the crime under Section-156(3) of the Criminal Procedure Code. Thereafter, report was submitted by the police, F.I.R. has been lodged by the police and thereafter, charge sheet was filed on 2.3.2005. The learned A.P.P. states that the accused is directed to remain present in the Trial Court on 2.5.2005. In view of the subsequent developments, this petition is rendered infructuous and is disposed of accordingly.

(V.M. KANADE, J.)